

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Charlie Hartford	Team: Squad #16	CCRB Case #: 201801043	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 01/19/2018 8:07 PM	Location of Incident: Outside of 1871 Second Avenue	Precinct: 23	18 Mo. SOL 7/19/2019	EO SOL 7/19/2019	
Date/Time CV Reported Tue, 02/06/2018 8:11 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Tue, 02/06/2018 8:11 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Aman Rana	14952	956191	PSA 5
2. POM Brandon Gonzalez	24845	950515	PSA 5

Officer(s)	Allegation	Investigator Recommendation
A.POM Aman Rana	Abuse: Police Officer Aman Rana stopped the vehicle in which § 87(2)(b) was an occupant.	
B.POM Brandon Gonzalez	Abuse: Police Officer Brandon Gonzalez stopped the vehicle in which § 87(2)(b) was an occupant.	
§ 87(4-b), § 87(2)(g)		

Case Summary

On February 6, 2018, § 87(2)(b) filed this complaint with the CCRB via email.

On January 19, 2018, at approximately 8:07 p.m., outside of 1871 Second Avenue in Manhattan, § 87(2)(b)'s vehicle was stopped by PO Aman Rana and PO Brandon Gonzalez of PSA 5 (Allegation A and Allegation B: Abuse of Authority, § 87(2)(g) § 87(4-b), § 87(2)(g)

§ 87(2)(b) This case contains no video evidence.

Findings and Recommendations

Allegation (A) Abuse of Authority: Police Officer Aman Rana stopped the vehicle in which § 87(2)(b) was an occupant.

Allegation (B) Abuse of Authority: Police Officer Brandon Gonzalez stopped the vehicle in which § 87(2)(b) was an occupant.

It is undisputed that PO Rana and PO Gonzalez stopped § 87(2)(b)'s vehicle on the date of incident, § 87(2)(g)

§ 87(2)(b) stated during his verified interview that on January 19, 2018, at approximately 8:12 p.m., § 87(2)(b) was leaving a barbershop located at East 106th Street between First Avenue and Second Avenue in Manhattan (Board Review 01). The vehicle § 87(2)(b) was driving during this incident was a black Dodge Charger tinted rear side windows and a tinted rear windshield. § 87(2)(b) stated that he had previously removed the tints in the front of his vehicle to avoid being frequently pulled over by the police. § 87(2)(b) stated during a follow up call that he did not know what percentage of light transmittance is allowed by his rear side windows (Board Review 13). As he pulled out of his parking space, § 87(2)(b) observed an unmarked grey Chevrolet police vehicle with the license plate number "§ 87(2)(e)" make a U-turn while traveling east on East 106th Street (Board Review 01). § 87(2)(b) immediately suspected that this was a police vehicle due to the make and model of the car. § 87(2)(b) then got in the left hand turn lane to turn onto Second Avenue and engaged his left hand turn signal. The unmarked vehicle followed § 87(2)(b) as he turned left onto Second Avenue. While traveling south on Second Avenue, § 87(2)(b) switched lanes approximately two times while using his turn signal. § 87(2)(b) initially stated that he did this to see if he was being followed, but later stated that he was also doing this because he was forced to by construction. The vehicle followed § 87(2)(b) for several blocks before pulling § 87(2)(b) over in front of a McDonald's restaurant located at 1871 Second Avenue.

Two officers, a Hispanic male and a second male whom § 87(2)(b) could not describe, approached § 87(2)(b)'s front driver and passenger side windows, respectively, at which time § 87(2)(b) asked the officer at his driver side window why he had been pulled over. The officer replied by asking, "Have you been drinking?" and "Do you know about this neighborhood? You shouldn't be around here." § 87(2)(b) stated that he understood why the officer asked this first question, because § 87(2)(b) was switching lanes to see if the officers were following him. § 87(2)(b) was not drinking during the incident. After running § 87(2)(b)'s license, the officers let § 87(2)(b) go without issuing him a summons. § 87(2)(b)'s initial email complaint was consistent with his verified interview (Board Review 02)

Neither PO Rana nor PO Gonzalez had any recollection of this incident (Board Reviews 03 and 04).

The PSA 5 Daily Vehicle Assignment Sheet for January 19, 2018 indicates that the vehicle with the license plate number “§ 87(2)(e)” is an unmarked vehicle assigned to PSA 5 with the RMP number “0212” (Board Review 05). The tour 3 roll call for that date indicates that this vehicle was assigned to PO Rana and PO Gonzalez during the incident. Additionally, documentation provided by IAB confirms that PO Rana performed a check for open warrants on § 87(2)(b)’s driver license using his departmental cell phone at 8:07 p.m. on the date of incident (Board Review 06).

New York State Vehicle and Traffic Law Section 365, 12-a(b)(3) prohibits individuals from driving vehicles with rear side windows that permit light transmittance of less than seventy percent if that vehicle is classified as a station wagon, sedan, hardtop, coupe, hatchback or convertible (Board Review 13).

§ 87(2)(g)
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[REDACTED]
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§ 87(4-b), § 87(2)(g)
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§ 87(4-b), § 87(2)(g)

Civilian and Officer CCRB Histories

- This is § 87(2)(b)'s third CCRB complaint (Board Review 11). § 87(2)(b) currently has two additional open complaints with the agency. Including § 87(2)(b)'s open complaints, § 87(2)(b) has made a total of twenty allegations against members of the NYPD in five cases dating from February 20, 2017.
- PO Rana has been a member of the NYPD for four years. In that time he has been the subject of 13 prior allegations in three cases, § 87(2)(f)
 - In CCRB 201411370, PO Rana received a substantiated allegation for issuing a summons without reasonable cause. The CCRB recommended that PO Rana receive formalized training. This disposition was upheld by the NYPD.
- PO Gonzalez has been a member of the NYPD for six years. In that time, he has been the subject of three prior allegations in one case, § 87(2)(g)

Mediation, Civil and Criminal Histories

- § 87(2)(b) was offered and rejected mediation during his verified interview (Board Review 02).
- A FOIL request to the NYC Comptroller's Office was filed on May 21, 2018 to determine whether § 87(2)(b) has filed a notice of claim pertaining to this incident. The request is currently pending.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad No.: _____

Investigator: _____
Signature Print Title & Name Date

Squad Leader: _____
Signature Print Title & Name Date

Reviewer:

Signature

Print Title & Name

Date